Regarding claim 111, an amendment to that claim is made herein to address the issue raised by the Examiner in the last two lines of page 5 of Paper No. 8. It is noted that claim 111 already provides that "the base wall [is] . . . formed to include an aperture . . . ."

Clarification is requested with regard to the Section 102 rejection based on Great Britain '703 in Paragraph No. 9 of Paper No. 8. No claims are identified by number as being rejected.

Boelsma, U.S. Patent No. 2,986,206, relates to a combustion device for liquid fuel. Nowhere does Boelsma disclose or suggest the combination including "bypass means for conducting oxygen outside of the flame chamber to the outlet opening of the flame chamber" as recited particularly in claims 1, 21, 29, and 54. Further, Boelsma does not disclose or suggest the combination recited in claim 111.

Krieger, U.S. patent No. 4,583,936, relates to a frequency modulated burner system. Krieger discloses a mixing chamber 38 at outlet of fuel tube 34 and air tube 36 communicating with chamber 32. Nowhere does Krieger disclose or suggest the combination including "the base wall being formed to include first aperture means for discharging oxygen from the chamber means into the flame chamber . . ." as recited particularly in claims 1, 21, and 29. Regarding claim 54, fuel tube 34 in Krieger is supported to lie far away from any inlet into combustion area 44 and terminates in air tube 36 at region 38.

Janssen, U.S. Patent No. 4,230,445, relates to a burner for a fluid fuel. Air in Janssen's jacket 12 flows only into tubes 5 and not into the chamber formed in component 6. Nowhere does Janssen disclose or suggest the combination including a "base wall . . . formed to include first aperture means for discharging oxygen from the chamber means into the flame chamber" as recited particularly in claims 1, 21, 29, and 36.

Syska et al., U.S. Patent No. 5,269,679, relates to a staged air, recirculating flue gas low NOx burner. Applicant respectfully submits that Syska does not disclose or suggest the burner assembly recited in claims 1, 21, 29, and 36. It is noted that these claims were determined to be patentable over the disclosure in Syska during the prosecution of Application No. 08/163,424, which later issued as U.S. Patent No. 5,458,483 (the subject of this reissue application).

Nowhere does Syska disclose or suggest a combination including provision of an oxygen-supply housing having a base wall situated adjacent to a burner block and formed to include first aperture means for discharging oxygen from chamber means in the oxygen-supply housing into a flame chamber in the burner block and a fuel-discharge "nozzle extending through the chamber means and the first aperture means formed in the base wall to discharge fuel into the flame chamber" as recited particularly in claim 1. Syska's nozzle 20 terminates in primary air passage 32 and does not, for example, extend through an aperture (unnumbered) formed in the plate (unnumbered) abutting burner block 65 and arranged to receive the mixing chamber portion 63 defining cylindrical mixing chamber 62. No disclosure is found in Syska that Syska nozzle 20 extends through any aperture formed in an oxygen-supply housing base wall that lies adjacent to the burner block. In fact, the discharge tip of Syska nozzle 20 is shown to be spaced apart from the Syska burner block 65 and the portion of Syska housing 12 that lies adjacent to Syska burner block 65. Accordingly, the subject matter of claim 1 is believed to be patentable over Syska. Likewise, claim 21 is believed to be patentable over Syska.

Nowhere does Syska disclose or suggest a combination including provision of a modular fastening means including a frame positioned to lie between the base wall of an oxygen-supply housing formed to include first and second apertures and the burner block as

recited particularly in independent claim 29. Syska discloses no frame between his housing 12 and his burner block 65 of the type claimed in claim 29. Accordingly, the subject matter of claim 29 is believed to be patentable over Syska.

Clarification is requested as to how the Examiner is using disclosure in Syska et al. to anticipate the subject matter in claims 36, 37, 40, and 54. Those claims were not addressed specifically in Paper No. 8. It is noted that each of those claims was found to be patentable over Syska et al. during the prosecution of Application No. 08/163,424 which later issued as U.S. Patent No. 5,458,483 (the subject of this reissue application).

Brown et al., U.S. Patent No. 5,092,760, relates to oxygen-fuel burner assembly and operation. The Examiner alleges in Paper No. 8 that component 14 is the "base opening." Component 14 is outside of "housing (22, 82, 84)" identified by the Examiner. Nowhere does Brown disclose or suggest the combination including "an oxygen supply housing defining an oxygen chamber . . . and a base wall positioned to lie adjacent to the burner block . . . [and] formed to include an aperture positioned to lie in alignment with the inlet opening and to pass oxygen from the oxygen chamber into the flame chamber . . ." as recited particularly in claim 111.

The pending claims are believed to be in condition for allowance. Such action is respectfully requested.

Respectfully submitted,

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